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PATENT
ATTORNEY DOCKET NO. 053785-5131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Ock-Hee KIM et al.)	Confirmation No. 7327
)	
Application No.: 10/608,574)	Group Art Unit: 2879
)	
Filed: June 30, 2003)	Examiner: K. Quarterman
)	
For: ORGANIC ELECTROLUMINESECENT)	
DISPLAY DEVICE AND METHOD OF)	
FABRICATING THE SAME)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT TRANSMITTAL

1. Transmitted herewith is a Response to Election/Restriction Requirement responding to the requirement in the Office Action mailed June 29, 2004.
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal
 - ☐ Request for Approval of Drawing Changes
 - ☐ Information Disclosure Statement
 - ☒ Form PTO-1449, 3 references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension of time fee due with this request: \$__.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Response		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$18 each=	+ \$ 0.00
Independent Claims (37C.F.R. §1.16(b))	2	minus	3	0	x \$84 each=	+ \$ 0.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

6. Fee Payment

☒ No fee is to be paid at this time.


☐ Check in the amount of \$_____ (for a one-month extension of time) is enclosed. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

☐ Please charge Deposit Account No. 50-0310 the amount of \$___ for a one-month extension of time. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
David B. Hardy
Reg. No. 47,362

Dated: July 26, 2004

Customer Number 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000



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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated June 29, 2004, Applicants provide the following response.

Applicants hereby elect Group I (claims 1-9) with traverse. Applicants respectfully traverse the Restriction Requirement on grounds that no undue burden would be placed upon the Examiner if both Group I and Group II inventions were simultaneously examined. Furthermore, Applicants respectfully assert that a search for the device of the Group I invention would, based on the requirement that a complete and thorough search be performed by the Examiner, inherently include a search within the Class/Subclass containing art directed toward methods of fabricating the device of the Group I invention. Accordingly, Applicants respectfully submit that no undue burden

would be placed upon the Examiner if the inventions of both Groups I and II were examined at the same time.

Applicants respectfully request withdrawal of the Restriction Requirement and formal examination of the Group I and Group II inventions of this application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel: 202.739.3000
Fax: 202.739.3001